

REMARKS

Claims 1-19 are pending in this application.

Provisional election with traverse:

Applicants elect with traverse Group I (claims 1-10 and 19).

Argument:

Applicants herein distinctly and specifically point out errors in the restriction requirement as required by MPEP § 818.03(c).

The examiner states that in the instant case the process as claimed can be used to make a materially different product such as a particulate composition **with only one active compound**. (Office action, 12/17/02, item 2).

Applicants disagree. Claim 11 is drawn to a process for producing solid preparations by drying an aqueous suspension comprising at least **two** active compounds. Therefore, claims 11-18 cannot be drawn to a particulate composition with only one active compound.

Applicants respectfully request that the restriction requirement be withdrawn.

Please charge any shortage in fees due in connection with the filing of this paper, including Extension of Time fees to Deposit Account No. 11-0345. Please credit any excess fees to such account.

AUWETER et al.

Serial No. 09/929,075

Respectfully submitted,

KEIL & WEINKAUF



Daniel S. Kim
Reg. No. 51,877

1350 Connecticut Ave., N.W.
Washington, D.C. 20036
(202)659-0100
HBK/DSK/mks



AUWETER et al.

Serial No. 09/929,075

CLEAN COPY OF ELECTED CLAIMS

1. A solid preparation of at least two active compounds suitable for the food sector and animal feed sector or for pharmaceutical and cosmetic applications in the form of a multicore structure in which at least two cores of a multicore structure have a different chemical composition.

2. A solid preparation as claimed in claim 1, wherein the multicore structure is a particle species having a mean particle size of from 5 to 3000 mm in which the cores are embedded in a matrix.

3. A solid preparation as claimed in claim 1 in which the cores have a mean particle size of from 0.01 to 1.0 mm.

4. A solid preparation as claimed in claim 1, which is a carotenoid-containing dry powder of at least two carotenoids.

5. A carotenoid-containing dry powder as claimed in claim 4, wherein at least two cores comprise one or more different carotenoids.

6. A carotenoid-containing dry powder as claimed in claim 4, wherein at least two cores comprise only one representative of the carotenoid class of substances.

7. A carotenoid-containing dry powder as claimed in claim 4, wherein the carotenoids are a selection from the group of the carotenes and xanthophylls.
8. A carotenoid-containing dry powder as claimed in claim 4, comprising β-carotene, lycopene and lutein.
9. A carotenoid-containing dry powder as claimed in claim 8, comprising 1 part by weight of β-carotene, from 0.02 to 20 parts by weight of lycopene and from 0.02 to 20 parts by weight of lutein.
10. A carotenoid-containing dry powder as claimed in claim 4, having a carotenoid content of from 0.1 to 50% by weight, based on the total amount of the dry powder.
19. A food supplement, food, animal feed and pharmaceutical and cosmetic preparation comprising carotenoid-containing preparations defined according to claim 1.